

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rabbani et al.

Application No.: 08/978,637 Group Art Unit: 1635

Filed: November 25, 1997 Examiner:A. Hudson

For: **COMPOSITION OF MATTER COMPRISING PRIMARY NUCLEIC
ACID COMPONENT**

Confirmation No.: 4643

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which they believe may be material to the patentability of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references listed below, in Form PTO/SB/08a (in accordance with the requirements of MPEP 609) and submitted herewith are copies of Office Actions issued on the merits in related applications. The above-referenced application is a division of application serial no. 08/574,443. Applicants note that application serial nos. 08/978,633, 08/978,634, 08/978,636, 08/978,635, 08/978,637, 08/978,638 and 08/978,639 are also divisional applications of application serial no. 08/574,443. Related application serial no. 08/978,632 is a continuation of application serial no. 08/574,443. Application serial nos 08/978,635 and 08/978,639 have been abandoned. Applicants note that additional applications have been filed: appIn. Ser. no.

11/929,897, a continuation of application ser. no. 08/978,632, appln. Ser. no. 11/925,929, a continuation of 08/978,636, appln. Ser. no. 11/929,055, a continuation of the above-referenced application and appln. Ser. no. 11/927,676, a continuation of 08/978,638; no Office Actions have issued in any of these applications.

Prosecution in related applications

Pat. App. No. 08574443 (Attny. Dkt. No. Enz-53) Non-Final Rejection 1999-02-19
Pat. App. No. 08574443 (Attny. Dkt. No. Enz-53) Non-Final Rejection 1996-11-28

Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Non-Final Rejection 2008-01-08
Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Final Rejection 2007-03-19
Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Non-Final Rejection 2005-09-23
Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Final Rejection 2002-05-20
Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Non-Final Rejection 2001-08-28
Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Final Rejection 2000-12-19
Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Final Rejection 2000-06-05
Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Final Rejection 1999-11-08
Pat. App. No. 08978632 (Attny. Dkt. No. Enz-53-C) Non-Final Rejection 1999-02-03

Pat. App. No. 08978633 (Attny. Dkt. No. Enz-53-D1) Non-Final Rejection 2003-04-08
Pat. App. No. 08978633 (Attny. Dkt. No. Enz-53-D1) Final Rejection 2000-12-18
Pat. App. No. 08978633 (Attny. Dkt. No. Enz-53-D1) Final Rejection 2000-06-05
Pat. App. No. 08978633 (Attny. Dkt. No. Enz-53-D1) Final Rejection 1999-11-09
Pat. App. No. 08978633 (Attny. Dkt. No. Enz-53-D1) Non-Final Rejection 1999-02-16

Pat. App. No. 08978634 (Attny. Dkt. No. Enz-53-D2) Non-Final Rejection 2006-01-07
Pat. App. No. 08978634 (Attny. Dkt. No. Enz-53-D2) Final Rejection 2005-10-21
Pat. App. No. 08978634 (Attny. Dkt. No. Enz-53-D2) Non-Final Rejection 2003-03-25
Pat. App. No. 08978634 (Attny. Dkt. No. Enz-53-D2) Final Rejection 2000-12-19
Pat. App. No. 08978634 (Attny. Dkt. No. Enz-53-D2) Final Rejection 2000-06-05
Pat. App. No. 08978634 (Attny. Dkt. No. Enz-53-D2) Final Rejection 1999-11-09
Pat. App. No. 08978634 (Attny. Dkt. No. Enz-53-D2) Non-Final Rejection 1999-02-17

Pat. App. No. 08978646 (Attny. Dkt. No. Enz-53-D3) Final Rejection 2007-12-26
Pat. App. No. 08978636 (Attny. Dkt. No. Enz-53-D3) Non-Final Rejection 2007-04-04
Pat. App. No. 08978636 (Attny. Dkt. No. Enz-53-D3) Final Rejection 2006-06-27
Pat. App. No. 08978636 (Attny. Dkt. No. Enz-53-D3) Non-Final Rejection 2005-31-05
Pat. App. No. 08978636 (Attny. Dkt. No. Enz-53-D3) Final Rejection 2004-07-15
Pat. App. No. 08978636 (Attny. Dkt. No. Enz-53-D3) Non-Final Rejection 2003-04-09
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Pat. App. No. 08978635 (Attny. Dkt. No. Enz-53-D4) Non-Final Rejection 2003-04-01

Pat. App. No. 08978635 (Attny. Dkt. No. Enz-53-D4) Final Rejection 2001-01-17

Pat. App. No. 08978635 (Attny. Dkt. No. Enz-53-D4) Final Rejection 2000-06-21

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Pat. App. No. 08978635 (Attny. Dkt. No. Enz-53-D4) Non-Final Rejection 1999-02-16

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 2007-10-04

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Non-Final Rejection 2007-01-03

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Non-Final Rejection 2005-05-04

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 2003-12-19

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Non-Final Rejection 2003-03-25

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 2001-01-17

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 2000-06-20

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Final Rejection 1999-11-23

Pat. App. No. 08978638 (Attny. Dkt. No. Enz-53-D6) Non-Final Rejection 1999-02-17

Pat. App. No. 08978639 (Attny. Dkt. No. Enz-53-D7) Non-Final Rejection 2007-01-03

Pat. App. No. 08978639 (Attny. Dkt. No. Enz-53-D7) Non-Final Rejection 2005-05-04

Form PTO/SB0/08a (in accordance with the requirements of MPEP 609) and submitted herewith also lists non-patent literature that have not been made of record. Some of these non-patent literature have been submitted previously. Those submitted herewith are listed below:

Other non-patent references

WYATT et al. Virology 210: 202-205. 1995

BUCHHOLZ et al. Virology 204: 770-776. 1994

HIRSCH et al. Transplantation Proceedings 25: 138-139. 1993

HO et al. FEBS 301: 303-306. 1992

BOS et al. Hybridoma 11: 41-51 1992

PATTHAIK et al. Proc. Natl. Acad. Sci. USA 88: 1379-1383. 1991

KARSCHIN et al., FEBS 278: 229-233. 1991

OLSEN et al. Proc. Natl. Acad. Sci. USA 87: 1451-1455. 1990

MOSS et al. Nature 348: 91-92. 1990

ELROY-STEIN Proc. Natl. Acad. Sci. USA 87: 6743-6747. 1990

BUONOCORE et al. Nature 345: 625-628. 1990

Unpublished appln. Ser. no. 07446235 1989-12-04 Brakel et al.

PUTNEY et al. " Proc. Natl. Acad. Sci. USA 78: 7350-7354, 1981

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

The Information Disclosure Statement submitted herewith is being filed

☐ after submitting the RCE but before any subsequent Office Action

☐ before the mailing date of a first Office Action on the merits

☒ after the mailing date of a first Office Action on the merits. Please charge the fee of \$180 to deposit account no. 05-1135.

Respectfully submitted,

Date: January 14, 2008

/Cheryl H Agris/

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